

been shipped in interstate commerce, on or about August 21, 1934, and January 27, 1935, by the Poloris Co., Inc., New York, N. Y., from that place to Springfield, Mass., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Package) "Poloris Dental Poultice."

Analysis showed that the article consisted essentially of plant material such as belladonna leaves, hops, aconite, sassafras, and acacia.

Misbranding of the article was charged under the allegations that upon and within the package there appeared the following statements regarding the curative or therapeutic effects of the article, and that the said statements were false and fraudulent: (Display carton) "Toothache Abscess Swelling * * * Or any Inflammation of Teeth & Gums A Treatment for the Relief of Toothache Due to * * * 3. Abscess Conditions. * * * 6. Gingivitis. 7. Trench Mouth. 8. Soreness After Treating Pyorrhea. 9. During Pregnancy Cases"; (large circular) "TOOTHACHE * * * For toothache of any other kind."

On April 22, 1935, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25387. Misbranding of Blood Purifier. U. S. v. 35¾ Dozen Bottles of Blood Purifier. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35412. Sample no. 16442-B.)

Unwarranted curative and therapeutic claims were made for this article and its label bore erroneous statements concerning its ingredients.

On April 26, 1935, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of a quantity of Blood Purifier at Fort Worth, Tex., alleging that the article had been shipped in interstate commerce, on or about December 31, 1934, by the De Pree Co., Holland, Mich., from that place to Fort Worth, Tex., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Bottle) "Nurse Brand Blood Purifier A Reliable Blood Purifier."

Analysis showed that the article consisted essentially of potassium iodide (0.7 gram per 100 milliliters), extracts of plant drugs including a laxative drug, alcohol, sugar, and water.

Misbranding of the article was charged (a) under the allegations that the labels on the bottles bore the statements, to wit, "Nurse Brand Blood Purifier is a Concentrated Extract of well known roots and barks Nurse Brand Blood Purifier combines the powerful tonic and alterative virtues of the following ingredients: Honduras sarsaparilla. Dandelion Root. Burdock Root Red Clover Tops Potassium Iodide", that the article contained a laxative plant drug not mentioned among the ingredients listed on the labels; that potassium iodide is a mineral drug, and not an extract of a root or bark; that the aforesaid statements were false and misleading; (b) under the allegations that upon the label of each of the bottles there appeared the following statements regarding the curative and therapeutic effect of the article, and that the statements were false and fraudulent: "Blood Purifier A Reliable Blood Purifier Nurse Brand Blood Purifier is a Concentrated Extract of well known roots and barks noted for their alterative and tonic action upon the blood and liver, and thus upon the entire system. The formula includes iodide of potash, a powerful agent in removing impurities from the blood . . . Nurse Brand Blood Purifier is valuable * * * in treating disorders arising from a sluggish liver and in skin affections resulting from impure blood,—the symptoms usually being Listlessness, Lack of Energy, Coated Tongue, Boils, Pimples and Blotches."

On February 8, 1936, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25388. Misbranding of "V. M." U. S. v. 92 Bottles of "V. M." Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 35541. Sample no. 37628-B.)

Unwarranted curative and therapeutic claims were made for this article.

On May 25, 1935, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 92 bottles of "V. M."

at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about April 3, 1935, by the Bio-Vegetin Products Co., Inc., Chicago, Ill., from that place to Seattle, Wash., and charging misbranding in violation of the Food and Drugs Act. The article was labeled in part: "V. M. * * * V. M. Products 500—510 North Dearborn St., Chicago, Ill."

Analysis showed that the article consisted essentially of plant material, including peanut hulls and seed coats, flax pods, flax stems, flax hulls, cornstarch, and mucilaginous material.

The article was alleged to be misbranded in that statements on the label and carton, contained in the circular, and borne on the card enclosed in the package, falsely and fraudulently represented that the article was effective, among other things, as a cure and remedy in the treatment of gastric and duodenal ulcer, peptic ulcer, gastric inflammations, hyperacidity, irritable colon, alcoholic stomachs, stomach and intestinal ailments, persistent nausea and vomiting, cramp-like pains, gastritis, ulcerative colitis; and that it was effective to provide a protective coating for inflamed surfaces of the stomach.

On December 30, 1935, no claimant having appeared, a default decree of condemnation, forfeiture, and destruction was entered.

M. L. WILSON, *Acting Secretary of Agriculture.*

25389. Misbranding of Red Heart Blood Tabs and Prescription 1000. U. S. v. Reese Chemical Co., a corporation, and George W. Reese. Pleas of nolo contendere. Fine, \$250 and costs. (F. & D. no. 33806. Sample nos. 46544-A, 46545-A, 46550-A.)

Unwarranted therapeutic and curative claims were made for these articles.

On December 18, 1934, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Reese Chemical Co., a corporation, Cleveland, Ohio, and George W. Reese, its president, alleging shipment by them in violation of the Food and Drugs Act as amended, in the period from March 19, 1932, to July 27, 1933, from Cleveland, Ohio, to various places in other States, of quantities of Red Heart Blood Tabs and Prescription 1000, which were misbranded. The articles were labeled in part: (Bottle) "Blood Tabs Blood and System Tonic * * * The Reese Chemical Co. Cleveland, Ohio", (carton) "Red Heart Blood Tabs"; (bottle) "Prescription 1000 Internal * * * Reese Chem. Co. Cleveland, O.", (bottle) "For External Use Only Prescription 1000."

Analyses showed that the Red Heart Blood Tabs were sugar and lime carbonate-coated pills that consisted essentially of an iron compound, small proportions of zinc phosphide, plant extractives including nux vomica and an emodin-bearing drug and capsicum; that the Prescription 1000 Internal consisted essentially of copaiba, santal oil, methyl salicylate, a small proportion of alkali and water; and that the Prescription 1000 External consisted essentially of potassium permanganate (0.1 percent) and water (99.9 percent).

Misbranding of the Red Heart Blood Tabs was charged under the allegation that the labels of the bottles and cartons and a circular enclosed in the packages bore and contained certain statements that were false and fraudulent, to wit, that the article was effective, among other things, as a blood, nerve, and system tonic; effective as a treatment for lack of ambition and blood and nerve troubles; effective to supply vim, ambition, zip, strength, punch, fight, energy, youth, and pep to the system, to stimulate self-confidence, and to increase health and strength; and effective as a treatment for run-down condition.

Misbranding of Prescription 1000 Internal was charged under the allegation that the labels of the bottles and cartons and a leaflet and a circular enclosed in the package bore and contained certain statements that were false and fraudulent, to wit, that the article was effective, among other things, as a treatment, remedy, and cure for gonorrhea; and effective when used alone or in connection with Prescription 1000 External as a treatment, remedy, and cure for gonorrhea.

Misbranding of Prescription 1000 External was charged under the allegation that the labels on the bottles and cartons and a leaflet and a circular enclosed in the package bore and contained certain statements that were false and fraudulent, to wit, that the article was effective, among other things, as a treatment, remedy, and cure for gonorrhea; and effective when used alone or in connection with Prescription 1000 Internal as a treatment, remedy, and cure for gonorrhea.

On March 21, 1936, pleas of nolo contendere having been entered, a fine of \$250 was imposed and costs were awarded against the defendants.

The court filed a memorandum as follows: